

SUPPORT FOR THE AMENDMENTS

Claims 1-20 and 32-34 were previously canceled.

Claims 21-30 are canceled herein.

No new matter has been added by the present amendment.

REMARKS

Claims 31 and 35-39 are pending in this application.

The rejection of Claims 31 and 35-39 under the doctrine of obviousness-type double patenting over Claims 12-14 of US 6,878,811 with or without Lopez et al or Ruggeri et al, is obviated by submission of an executed Terminal Disclaimer. Applicants **submit herewith** a Terminal Disclaimer in compliance with 37 C.F.R. §1.321(c), disclaiming the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of US 6,878,811. Accordingly, Applicants believe that this ground of rejection is no longer at issue and should be withdrawn. Acknowledgement to this effect is requested.

Finally, with respect to the obviousness-type double patenting over US 6,878,811 and the previous rejections of record related to issues of formalities (i.e., 35 U.S.C. §112, second paragraph), Applicants submit that the filing of a Terminal Disclaimer and any amendments made were merely for sake of expedient examination of the claimed invention. In no way do Applicant's acquiesce to these rejections and refrain from making statement with respect to the propriety of these grounds of rejection.

Applicants submit that the application is now in condition for allowance, and early notification of such action is earnestly solicited.

Respectfully submitted,

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